

Remarks

Claims 1-2, 4-6, 8-12, 14 and 17-19 are pending.

All pending claims stand rejected under Section 102(e) as being anticipated by Czyszczewski (6867876). The Examiner has rejected the Rule 131 Declaration of inventor Keith Braunwalder, arguing it is not sufficient to remove Czyszczewski as a prior art reference because (1) the Declaration is not signed by both inventors and (2) it does not establish invention of the claimed subject matter.

The Declaration Is Now Signed By Both Inventors

The Rule 131 Declaration of co-inventor Jeffrey Aguilera accompanies the RCE and this Amendment. Declarations from both inventors are now of record. The Examiner's first grounds for rejection the Rule 131 Declaration is moot.

The Invention Disclosure Document Shows The Claimed Subject Matter

The Examiner's remarks supporting the rejection of the Declaration as not sufficient to establish invention of the claimed subject matter are quoted below.

"In the Exhibit 1, the Applicants have not clearly show in details how to solve the problem as stated in claims 1 and 14 of the application; and nowhere in the Exhibit 1 mentions a duplicator, selectable ions, and selectable menu items. Claims do not appear to be supported by the evidence provided in claims. It means that there is not enough evidence to clearly prove the relationships between the Exhibit 1 and the Claims." Office Action page 7.

Duplicator -- Fig. 1 to the Invention Disclosure shows a user interface (UI) for an HP Digital Workplace Copier as indicated in the extreme upper left hand corner of the UI. A digital copier is a duplicator. ***If the Examiner continues to disagree, he is respectfully requested to explain how and why the HP Digital Workplace Copier mentioned in the Invention Disclosure is not a duplicator.***

Selectable icons -- The top part of the UI in Fig. 1 to the Invention Disclosure includes selectable icons (Copies, Reduce-Enlarge, Contrast and Copy Quality) for a first duplicator, the HP Digital Copier. The bottom part of the UI includes selectable icons (I want to print to another printer, Name and Color) for a second duplicator (an HP printer is selected). ***Again, if the Examiner disagrees, he is respectfully requested to explain how it is that Fig. 1 to the Invention Disclosure can reasonably be***

interpreted as showing something other than selectable icons. If the items noted above are not selectable icons, then what are they?

Selectable menu items -- the UI of Fig. 1 of the Invention Disclosure is itself a menu page displaying selectable menu items such as the Number of Copies, size of the copies (standard and custom sizing), Contrast (lighten or darken) and Copy Quality (photo, text, draft).

The Examiner is also urged to again review the full discussion mapping the claim elements to the Invention Disclosure from the prior Response.

Finally, with regard to the Examiner's statement that Applicants "have not clearly show in details how to solve the problem as stated in claims 1 and 14....", Applicants note first that the claims do not state a problem, and second, that Rule 131 does not require any showing related to solving problems. Applicants are required only to "establish invention of the [claimed] subject matter....", which they have done.

Czyszczewski is not prior art and the claims are (and have been) in condition for allowance.

Respectfully submitted,

/Steven R. Ormiston/

Steven R. Ormiston
Reg. No. 35,974
208.433.1991 x204